

be the conqueror's law that the dominant class imposes on the weaker, as Marx supposed the law of a capitalist society must be. The bulk of the law—that part which defines and implements social, economic, and foreign policy—cannot be neutral. It must state, in its greatest part, the majority's view of the common good. The institution of rights is therefore crucial, because it represents the majority's promise to the minorities that their dignity and equality will be respected. When the divisions among the groups are most violent, then this gesture, if law is to work, must be most sincere.

The institution requires an act of faith on the part of the minorities, because the scope of their rights will be controversial whenever they are important, and because the officers of the majority will act on their own notions of what these rights really are. Of course these officials will disagree with many of the claims that a minority makes. That makes it all the more important that they take their decisions gravely. They must show that they understand what rights are, and they must not cheat on the full implications of the doctrine. The Government will not re-establish respect for law without giving the law some claim to respect. It cannot do that if it neglects the one feature that distinguishes law from ordered brutality. If the Government does not take rights seriously, then it does not take law seriously either.

Endnote

1. He need not consider these ideas to be axiomatic. He may, that is, have reasons for insisting that dignity or equality

are important values, and these reasons may be utilitarian. He may believe, for example, that the general good will be advanced, in the long run, only if we treat indignity or inequality as very great injustices, and never allow our opinions about the general good to justify them. I do not know of any good arguments for or against this sort of 'institutional' utilitarianism, but it is consistent with my point, because it argues that we must treat violations of dignity and equality as special moral crimes, beyond the reach of ordinary utilitarian justification.

REVIEW QUESTIONS

1. What does Dworkin mean by right in the strong sense? What rights in this sense are protected by the U.S. Constitution?
2. Distinguish between legal and moral rights. Give some examples of legal rights that are not moral rights, and moral rights that are not legal rights.
3. What are the two models of how a government might define the rights of its citizens? Which does Dworkin find more attractive?
4. According to Dworkin, what two important ideas are behind the institution of rights?

DISCUSSION QUESTIONS

1. Does a person have a right to break the law? Why or why not?
2. Are rights in the strong sense compatible with Mill's Utilitarianism? (See the footnote about Institutional Utilitarianism.)
3. Do you think that Kant would accept rights in the strong sense or not?



John Rawls

A Theory of Justice

John Rawls is professor of philosophy at Harvard University. Our reading is taken from his well-known book *A Theory of Justice* (1971).

Rawls' theory states that there are two Principles of Justice: The first principle involves equal

basic liberties, and the second principle concerns the arrangement of social and economic inequalities. According to Rawls' theory, these are the principles that free and rational persons would ac-

From John Rawls, *A Theory of Justice* (Cambridge, MA: The Belknap Press of Harvard University Press). Copyright © 1971 by the President and Fellows of Harvard College. Reprinted by permission of Harvard University Press.

cept in a hypothetical original position where there is a veil of ignorance hiding from the contractors all the particular facts about themselves.

THE MAIN IDEA OF THE THEORY OF JUSTICE

My aim is to present a conception of justice which generalizes and carries to a higher level of abstraction the familiar theory of the social contract as found, say, in Locke, Rousseau, and Kant.¹ In order to do this we are not to think of the original contract as one to enter a particular society or to set up a particular form of government. Rather, the guiding idea is that the principles of justice for the basic structure of society are the object of the original agreement. They are the principles that free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their association. These principles are to regulate all further agreements; they specify the kinds of social cooperation that can be entered into and the forms of government that can be established. This way of regarding the principles of justice I shall call justice as fairness.

Thus we are to imagine that those who engage in social cooperation choose together, in one joint act, the principles which are to assign basic rights and duties and to determine the division of social benefits. Men are to decide in advance how they are to regulate their claims against one another and what is to be the foundation charter of their society. Just as each person must decide by rational reflection what constitutes his good, that is, the system of ends which it is rational for him to pursue, so a group of persons must decide once and for all what is to count among them as just and unjust. The choice which rational men would make in this hypothetical situation of equal liberty, assuming for the present that this choice problem has a solution, determines the principles of justice.

In justice as fairness the original position of equality corresponds to the state of nature in the traditional theory of the social contract. This original position is not, of course, thought of as an actual historical state of affairs, much less as

a primitive condition of culture. It is understood as a purely hypothetical situation characterized so as to lead to a certain conception of justice.² Among the essential features of this situation is that no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance. This ensures that no one is advantaged or disadvantaged in the choice of principles by the outcome of natural chance or the contingency of social circumstances. Since all are similarly situated and no one is able to design principles to favor his particular condition, the principles of justice are the result of a fair agreement or bargain. For given the circumstances of the original position, the symmetry of everyone's relations to each other, this initial situation is fair between individuals as moral persons, that is, as rational beings with their own ends and capable, I shall assume, of a sense of justice. The original position is, one might say, the appropriate initial status quo, and thus the fundamental agreements reached in it are fair. This explains the propriety of the name "justice as fairness": it conveys the idea that the principles of justice are agreed to in an initial situation that is fair. The name does not mean that the concepts of justice and fairness are the same, any more than the phrase "poetry as metaphor" means that the concepts of poetry and metaphor are the same.

Justice as fairness begins, as I have said, with one of the most general of all choices which persons might make together, namely, with the choice of the first principles of a conception of justice which is to regulate all subsequent criticism and reform of institutions. Then, having chosen a conception of justice, we can suppose that they are to choose a constitution and a legislature to enact laws, and so on, all in accordance with the principles of justice initially agreed upon. Our social situation is just if it is such that by this sequence of hypothetical agreements we would have contracted into the general system of rules which defines it. Moreover, assuming that the original position does

determine a set of principles (that is, that a particular conception of justice would be chosen), it will then be true that whenever social institutions satisfy these principles those engaged in them can say to one another that they are co-operating on terms to which they would agree if they were free and equal persons whose relations with respect to one another were fair. They could all view their arrangements as meeting the stipulations which they would acknowledge in an initial situation that embodies widely accepted and reasonable constraints on the choice of principles. The general recognition of this fact would provide the basis for a public acceptance of the corresponding principles of justice. No society can, of course, be a scheme of cooperation which men enter voluntarily in a literal sense; each person finds himself placed at birth in some particular position in some particular society, and the nature of this position materially affects his life prospects. Yet a society satisfying the principles of justice as fairness comes as close as a society can to being a voluntary scheme, for it meets the principles which free and equal persons would assent to under circumstances that are fair. In this sense its members are autonomous and the obligations they recognize self-imposed.

One feature of justice as fairness is to think of the parties in the initial situation as rational and mutually disinterested. This does not mean that the parties are egoists, that is, individuals with only certain kinds of interests, say in wealth, prestige, and domination. But they are conceived as not taking an interest in one another's interests. They are to presume that even their spiritual aims may be opposed, in the way that the aims of those of different religions may be opposed. Moreover, the concept of rationality must be interpreted as far as possible in the narrow sense, standard in economic theory, of taking the most effective means to given ends. I shall modify this concept to some extent . . . but one must try to avoid introducing into it any controversial ethical elements. The initial situation must be characterized by stipulations that are widely accepted.

In working out the conception of justice as fairness one main task clearly is to determine which principles of justice would be chosen in

the original position. To do this we must describe this situation in some detail and formulate with care the problem of choice which it presents. . . . It may be observed, however, that once the principles of justice are thought of as arising from an original agreement in a situation of equality, it is an open question whether the principle of utility would be acknowledged. Off-hand it hardly seems likely that persons who view themselves as equals, entitled to press their claims upon one another, would agree to a principle which may require lesser life prospects for some simply for the sake of a greater sum of advantages enjoyed by others. Since each desires to protect his interests, his capacity to advance his conception of the good, no one has a reason to acquiesce in an enduring loss for himself in order to bring about a greater net balance of satisfaction. In the absence of strong and lasting benevolent impulses, a rational man would not accept a basic structure merely because it maximized the algebraic sum of advantages irrespective of its permanent effects on his own basic rights and interests. Thus it seems that the principle of utility is incompatible with the conception of social cooperation among equals for mutual advantage. It appears to be inconsistent with the idea of reciprocity implicit in the notion of a well-ordered society. Or, at any rate, so I shall argue.

I shall maintain instead that the persons in the initial situation would choose two rather different principles: the first requires equality in the assignment of basic rights and duties, while the second holds that social and economic inequalities, for example inequalities of wealth and authority, are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society. These principles rule out justifying institutions on the grounds that the hardships of some are offset by a greater good in the aggregate. It may be expedient but it is not just that some should have less in order that others may prosper. But there is no injustice in the greater benefits earned by a few provided that the situation of persons not so fortunate is thereby improved. The intuitive idea is that since everyone's well-being depends upon a scheme of cooperation without which no one could have a satisfactory life, the division of advantages should

be such as to draw forth the willing cooperation of everyone taking part in it, including those less well situated. Yet this can be expected only if reasonable terms are proposed. The two principles mentioned seem to be a fair agreement on the basis of which those better endowed, or more fortunate in their social position, neither of which we can be said to deserve, could expect the willing cooperation of others when some workable scheme is a necessary condition of the welfare of all.³ Once we decide to look for a conception of justice that nullifies the accidents of natural endowment and the contingencies of social circumstance as counters in quest for political and economic advantage, we are led to these principles. They express the result of leaving aside those aspects of the social world that seem arbitrary from a moral point of view.

The problem of the choice of principles, however, is extremely difficult. I do not expect the answer I shall suggest to be convincing to everyone. It is, therefore, worth noting from the outset that justice as fairness, like other contract views, consists of two parts: (1) an interpretation of the initial situation and of the problem of choice posed there, and (2) a set of principles which, it is argued, would be agreed to. One may accept the first part of the theory (or some variant thereof), but not the other, and conversely. The concept of the initial contractual situation may seem reasonable although the particular principles proposed are rejected. To be sure, I want to maintain that the most appropriate conception of this situation does lead to principles of justice contrary to utilitarianism and perfectionism, and therefore that the contract doctrine provides an alternative to these views. . . .

A final remark. Justice as fairness is not a complete contract theory. For it is clear that the contractarian idea can be extended to the choice of more or less an entire ethical system, that is, to a system including principles for all the virtues and not only for justice. Now for the most part I shall consider only principles of justice and others closely related to them; I make no attempt to discuss the virtues in a systematic way. Obviously if justice as fairness succeeds reasonably well, a next step would be to study the more general view suggested by the name

"rightness as fairness." But even this wider theory fails to embrace all moral relationships, since it would seem to include only our relations with other persons and to leave out of account how we are to conduct ourselves toward animals and the rest of nature. I do not contend that the contract notion offers a way to approach these questions which are certainly of the first importance; and I shall have to put them aside. We must recognize the limited scope of justice as fairness and of the general type of view that it exemplifies. How far its conclusions must be revised once these other matters are understood cannot be decided in advance. . . .

TWO PRINCIPLES OF JUSTICE

I shall now state in a provisional form the two principles of justice that I believe would be chosen in the original position. In this section I wish to make only the most general comments, and therefore the first formulation of these principles is tentative. As we go on I shall run through several formulations and approximate step by step the final statement to be given much later. I believe that doing this allows the exposition to proceed in a natural way.

The first statement of the two principles reads as follows.

First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.

Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all. . . .

By way of general comment, these principles primarily apply, as I have said, to the basic structure of society. They are to govern the assignment of rights and duties and to regulate the distribution of social and economic advantages. As their formulation suggests, these principles presuppose that the social structure can be divided into two more or less distinct parts, the first principle applying to the one, the second to the other. They distinguish between those aspects of the social system that define

and secure the equal liberties of citizenship and those that specify and establish social and economic inequalities. The basic liberties of citizens are, roughly speaking, political liberty (the right to vote and to be eligible for public office) together with freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person along with the right to hold (personal) property; and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law. These liberties are all required to be equal by the first principle, since citizens of a just society are to have the same basic rights.

The second principle applies, in the first approximation, to the distribution of income and wealth and to the design of organizations that make use of differences in authority and responsibility, or chains of command. While the distribution of wealth and income need not be equal, it must be to everyone's advantage, and at the same time, positions of authority and offices of command must be accessible to all. One applies the second principle by holding positions open, and then, subject to this constraint, arranges social and economic inequalities so that everyone benefits.

These principles are to be arranged in a serial order with the first principle prior to the second. This ordering means that a departure from the institutions of equal liberty required by the first principle cannot be justified by, or compensated for, by greater social and economic advantages. The distribution of wealth and income, and the hierarchies of authority, must be consistent with both the liberties of equal citizenship and equality of opportunity.

It is clear that these principles are rather specific in their content, and their acceptance rests on certain assumptions that I must eventually try to explain and justify. A theory of justice depends upon a theory of society in ways that will become evident as we proceed. For the present, it should be observed that the two principles (and this holds for all formulations) are a special case of a more general conception of justice that can be expressed as follows.

All social values—liberty and opportunity, income and wealth, and the bases of self-respect—are to be

distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage.

Injustice, then, is simply inequalities that are not to the benefit of all. Of course, this conception is extremely vague and requires interpretation.

As a first step, suppose that the basic structure of society distributes certain primary goods, that is, things that every rational man is presumed to want. These goods normally have a use whatever a person's rational plan of life. For simplicity, assume that the chief primary goods at the disposition of society are rights and liberties, powers and opportunities, income and wealth. . . . These are the social primary goods. Other primary goods such as health and vigor, intelligence and imagination, are natural goods; although their possession is influenced by the basic structure, they are not so directly under its control. Imagine, then, a hypothetical initial arrangement in which all the social primary goods are equally distributed: everyone has similar rights and duties, and income and wealth are evenly shared. This state of affairs provides a benchmark for judging improvements. If certain inequalities of wealth and organizational powers would make everyone better off than in this hypothetical starting situation, then they accord with the general conception.

Now it is possible, at least theoretically, that by giving up some of their fundamental liberties men are sufficiently compensated by the resulting social and economic gains. The general conception of justice imposes no restrictions on what sort of inequalities are permissible; it only requires that everyone's position be improved. We need not suppose anything so drastic as consenting to a condition of slavery. Imagine instead that men forego certain political rights when the economic returns are significant and their capacity to influence the course of policy by the exercise of these rights would be marginal in any case. It is this kind of exchange which the two principles as stated rule out; being arranged in serial order they do not permit exchanges between basic liberties and economic and social gains. The serial ordering of principles expresses an underlying preference among primary social goods. When this preference is rational so likewise is the choice of these principles in this order.



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In developing justice as fairness I shall, for the most part, leave aside the general conception of justice and examine instead the special case of the two principles in serial order. The advantage of this procedure is that from the first the matter of priorities is recognized and an effort made to find principles to deal with it. One is led to attend throughout to the conditions under which the acknowledgment of the absolute weight of liberty with respect to social and economic advantages, as defined by the lexical order of the two principles, would be reasonable. Offhand, this ranking appears extreme and too special a case to be of much interest; but there is more justification for it than would appear at first sight. Or at any rate, so I shall maintain. . . . Furthermore, the distinction between fundamental rights and liberties and economic and social benefits marks a difference among primary social goods that one should try to exploit. It suggests an important division in the social system. Of course, the distinctions drawn and the ordering proposed are bound to be at best only approximations. There are surely circumstances in which they fail. But it is essential to depict clearly the main lines of a reasonable conception of justice; and under many conditions anyway, the two principles in serial order may serve well enough. When necessary we can fall back on the more general conception.

The fact that the two principles apply to institutions has certain consequences. Several points illustrate this. First of all, the rights and liberties referred to by these principles are those which are defined by the public rules of the basic structure. Whether men are free is determined by the rights and duties established by the major institutions of society. Liberty is a certain pattern of social forms. The first principle simply requires that certain sorts of rules, those defining basic liberties, apply to everyone equally and that they allow the most extensive liberty compatible with a like liberty for all. The only reason for circumscribing the rights defining liberty and making men's freedom less extensive than it might otherwise be is that these equal rights as institutionally defined would interfere with one another.

Another thing to bear in mind is that when principles mention persons, or require that eve-

ryone gain from an inequality, the reference is to representative persons holding the various social positions, or offices, or whatever, established by the basic structure. Thus in applying the second principle I assume that it is possible to assign an expectation of well-being to representative individuals holding these positions. This expectation indicates their life prospects as viewed from their social station. In general, the expectations of representative persons depend upon the distribution of rights and duties throughout the basic structure. When this changes, expectations change. I assume, then, that expectations are connected: by raising the prospects of the representative man in one position we presumably increase or decrease the prospects of representative men in other positions. Since it applies to institutional forms, the second principle (or rather the first part of it) refers to the expectations of representative individuals. As I shall discuss below, neither principle applies to distributions of particular goods to particular individuals who may be identified by their proper names. The situation where someone is considering how to allocate certain commodities to needy persons who are known to him is not within the scope of the principles. They are meant to regulate basic institutional arrangements. We must not assume that there is much similarity from the standpoint of justice between an administrative allotment of goods to specific persons and the appropriate design of society. Our common sense intuitions for the former may be a poor guide to the latter.

Now the second principle insists that each person benefit from permissible inequalities in the basic structure. This means that it must be reasonable for each relevant representative man defined by this structure, when he views it as a going concern, to prefer his prospects with the inequality to his prospects without it. One is not allowed to justify differences in income or organizational powers on the ground that the disadvantages of those in one position are outweighed by the greater advantages of those in another. Much less can infringements of liberty be counterbalanced in this way. Applied to the basic structure, the principle of utility would have us maximize the sum of expectations of representative men (weighted by the number of persons they represent, on the classical view);

and this would permit us to compensate for the losses of some by the gains of others. Instead, the two principles require that everyone benefit from economic and social inequalities. It is obvious, however, that there are indefinitely many ways in which all may be advantaged when the initial arrangement of equality is taken as a benchmark. How then are we to choose among these possibilities? The principles must be specified so that they yield a determinate conclusion. I now turn to this problem. . . .

Endnotes

1. As the text suggests, I shall regard Locke's *Second Treatise of Government*, Rousseau's *The Social Contract*, and Kant's ethical works beginning with *The Foundations of the Metaphysics of Morals* as definitive of the contract tradition. For all of its greatness, Hobbes's *Leviathan* raises special problems. A general historical survey is provided by J. W. Gough, *The Social Contract*, 2nd ed. (Oxford, The Clarendon Press, 1957), and Otto Gierke, *Natural Law and the Theory of Society*, trans. with an introduction by Ernest Barker (Cambridge, The University Press, 1934). A presentation of the contract view as primarily an ethical theory is to be found in G. R. Grice, *The Grounds of Moral Judgment* (Cambridge, The University Press, 1967). See also § 19, note 30. [The footnotes have been renumbered—Ed.]
2. Kant is clear that the original agreement is hypothetical. See *The Metaphysics of Morals*, pt. I (*Rechtslehre*), especially §§ 47, 52; and pt. II of the essay "Concerning the Common Saying: This May Be True in Theory but It Does Not Apply in Practice," in *Kant's Political Writings*, ed. Hans Reiss and trans. by H. B. Nisbet (Cambridge, The University Press, 1970), pp. 73–87. See Georges Vlachos, *La Pensée politique de Kant* (Paris, Presses Universitaires de France, 1962), pp. 326–335; and J. G. Mur-

phy, *Kant: The Philosophy of Right* (London, Macmillan, 1970), pp. 109–112, 133–136, for a further discussion.

3. For the formulation of this intuitive idea I am indebted to Allan Gibbard.

REVIEW QUESTIONS

1. Carefully explain Rawls' conception of the original position.
2. State and explain Rawls' first Principle of Justice.
3. State and explain the second principle. Which principle has priority such that it cannot be sacrificed?

DISCUSSION QUESTIONS

1. On the first principle, each person has an equal right to the most extensive basic liberty as long as this does not interfere with a similar liberty for others. What does this allow people to do? Does it mean, for example, that people have a right to engage in homosexual activities as long as they don't interfere with others? Can people produce and view pornography if it does not restrict anyone's freedom? Are people allowed to take drugs in the privacy of their homes?
2. Is it possible for free and rational persons in the original position to agree upon different principles than those given by Rawls? For example, why wouldn't they agree to an equal distribution of wealth and income rather than an unequal distribution? That is, why wouldn't they adopt socialism rather than capitalism? Isn't socialism just as rational as capitalism?



Annette Baier

What Do Women Want in a Moral Theory?

Annette Baier teaches philosophy at the University of Pittsburgh. She is the author of many articles on feminist theory and other topics in ethics.

Baier claims that an ethics of love best expresses women's insights and concerns, whereas male theories in ethics take obligation to be the central concern. Both theories have problems. The *Ethics of Love* ignores obligation, and the theories of obligation assume that parents have some kind of nat-

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ural duty to care for their children and that loving children is a virtue. As a better alternative theory, Baier proposes a theory of appropriate or proper trust which includes both love and obligation.

When I finished reading Carol Gilligan's *In a Different Voice*, I asked myself the obvious question for a philosopher reader: what differences should one expect in the moral philosophy done by women, supposing Gilligan's sample of women to be representative and supposing her analysis of their moral attitudes and moral development to be correct? Should one expect women to want to produce moral theories, and if so, what sort of moral theories? How will any moral theories they produce differ from those produced by men?

Obviously one does not have to make this an entirely *a priori* and hypothetical question. One can look and see what sort of contributions women have made to moral philosophy: Such a look confirms, I think, Gilligan's findings. What one finds is a bit different in tone and approach from the standard sort of moral philosophy as done by men following in the footsteps of the great moral philosophers (all men). Generalizations are extremely rash, but when I think of Philippa Foot's work on the moral virtues, Elizabeth Anscombe's work on intention and on modern moral philosophy, Iris Murdoch's philosophical writings, Ruth Barcan Marcus's work on moral dilemmas, the work of the radical feminist moral philosophers who are not content with orthodox Marxist lines of thought, Jenny Teichman's book on illegitimacy, Susan Wolf's articles, Claudia Card's essay on mercy, Sabina Lovibond's writings, Gabriele Taylor's work on pride, love, and on integrity, Cora Diamond's and Mary Midgeley's work on our attitude toward animals, Sissela Bok's work on lying and on secrecy, Virginia Held's work, the work of Alison Jaggar, Marilyn Frye, and many others, I seem to hear a different voice from the standard moral philosophers' voice. I hear the voice Gilligan heard, made reflective and philosophical. What women want in moral philosophy is what they are providing. And what they are providing seems to me to confirm Gilligan's theses about women. One has to be careful here, of course, for not all important contributions to moral phi-

losophy by women fall easily into the Gilligan stereotype or its philosophical extension. Nor has it been only women who have been proclaiming discontent with the standard approach in moral philosophy and trying new approaches. Michael Stocker, Alasdair MacIntyre, and Ian Hacking when he assesses the game-theoretic approach to morality, all should be given the status of honorary women, if we accept the hypothesis that there are some moral insights for whatever reason women seem to attain more easily or more reliably than men do. Still, exceptions confirm the rule, so I shall proceed undaunted by these important exceptions to my generalizations.

If Hacking is right, preoccupation with prisoners and prisoners' dilemmas is a big boys' game, and a pretty silly one too. It is, I think, significant that women have not rushed into the field of game-theoretic moral philosophy, and that those who have dared enter that male locker room have said distinctive things there. Edna Ullmann Margalit's book *The Emergence of Norms* puts *prisoner's dilemma* in its limited moral place. Supposing that at least part of the explanation for the relatively few women in this field is disinclination rather than disability, one might ask if this disinclination also extends to the construction of moral theories. For although we find out what sort of moral philosophy women want by looking to see what they have provided, if we do that for moral theory, the answer we get seems to be "none." None of the contributions to moral philosophy by women really counts as a moral theory, nor is seen as such by its author.

Is it that reflective women, when they become philosophers, want to do without moral theory, want no part in the construction of such theories? To conclude this at this early stage, when we have only a few generations of women moral philosophers to judge from, would be rash indeed. The term "theory" can be used in wider and narrower ways, and in its widest sense a moral theory is simply an internally consistent fairly comprehensive account of what morality is and when and why it merits our acceptance and support. In that wide sense, a moral theory is something it would take a skeptic, or one who believes that our intellectual vision is necessarily

blurred or distorted when we let it try to take in too much, to be an antitheorist. Even if there were some truth in the latter claim, one might compatibly with it still hope to build up a coherent total account by a mosaic method, assembling a lot of smaller-scale works until one had built up a complete account—say, taking the virtues or purported virtues one by one until one had a more or less complete account. But would that sort of comprehensiveness in one's moral philosophy entitle one to call the finished work a moral theory? If it would, then many women moral philosophers today can be seen as engaged in moral theory construction. In the weakest sense of "theory," as a coherent near-comprehensive account, there are plenty of incomplete theories to be found in the works of women moral philosophers. And in *that* sense of theory, most of what are recognized as the current moral theories are also incomplete, because they do not yet purport to be really comprehensive. Wrongs to animals and wrongful destruction of our physical environment are put to one side by John Rawls, and in most "liberal" theories there are only hand waves concerning our proper attitude toward our children, toward the ill, toward our relatives, friends, and lovers.

Is comprehensiveness too much to ask of a moral theory? The paradigm examples of moral theories—those that are called by their authors "moral theories"—are distinguished not by the comprehensiveness of their internally coherent account but by the *sort* of coherence which is aimed at over a fairly broad area. Their method is not the mosaic method but the broad brush-stroke method. Moral theories, as we know them, are, to change the art form, vaults rather than walls—they are not built by assembling painstakingly made brick after brick. In *this* sense of theory—a fairly tightly systematic account of a large area of morality, with a keystone supporting all the rest—women moral philosophers have not yet, to my knowledge, produced moral theories or claimed that they have.

Leaving to one side the question of what purpose (other than good clean intellectual fun) is served by such moral theories, and supposing for the sake of argument that women can, if they wish, systematize as well as the next man and, if

need be, systematize in a mathematical fashion as well as the next mathematically minded moral philosopher, then what key concept or guiding motif might hold together the structure of a moral theory hypothetically produced by a reflective woman, Gilligan-style, who has taken up moral theorizing as a calling? What would be a suitable central question, principle, or concept to structure a moral theory which might accommodate those moral insights which women tend to have more readily than men, and to answer those moral questions which, it seems, worry women more than men? I hypothesized that the women's theory, expressive mainly of women's insights and concerns, would be an ethics of love, and this hypothesis seems to be Gilligan's too, since she has gone on from *In a Different Voice* to write about the limitations of Freud's understanding of love as women know it. But presumably women theorists will be like enough to men to want their moral theory to be acceptable to all, so acceptable both to reflective women and reflective men. Like any good theory, it will need not to ignore the partial truth of previous theories. It must therefore accommodate both the insights men have more easily than women and those women have more easily than men. It should swallow up its predecessor theories. Women moral theorists, if any, will have this very great advantage over the men whose theories theirs supplant, that they can stand on the shoulders of male moral theorists, as no man has yet been able to stand on the shoulders of any female moral theorist. There can be advantages as well as handicaps in being latecomers. So women theorists will need to connect their ethics of love with what has been the men theorists' preoccupation, namely, obligation.

The great and influential moral theorists have in the modern era taken *obligation* as the key and the problematic concept, and have asked what justifies treating a person as morally bound or obliged to do a particular thing. Since to be bound is to be unfree, by making obligation central one at the same time makes central the question of the justification of coercion, of forcing or trying to force someone to act in a particular way. The concept of obligation as justified limitation of freedom does just what one

wants a good theoretical concept to do—to divide up the field (as one looks at different ways one's freedom may be limited, freedom in different spheres, different sorts and versions and levels of justification) and at the same time to hold the subfields together. There must in a theory be some generalization and some speciation or diversification, and a good rich key concept guides one both in recognizing the diversity and in recognizing the unity in it. The concept of obligation has served this function very well for the area of morality it covers, and so we have some fine theories about that area. But as Aristotelians and Christians, as well as women, know, there is a lot of morality *not* covered by that concept, a lot of very great importance even for the area where there are obligations.

This is fairly easy to see if we look at what lies behind the perceived obligation to keep promises. Unless there is some good moral reason why someone should assume the responsibility of rearing a child to be *capable* of taking promises seriously, once she understands what a promise is, the obligation to obey promises will not effectively tie her, and any force applied to punish her when she breaks promises or makes fraudulent ones will be of questionable justice. Is there an *obligation* on someone to make the child into a morally competent promisor? If so, on whom? Who has failed in his or her obligations when, say, war orphans who grew up without parental love or any other love arrive at legal adulthood very willing to be untrue to their word? Who failed in what obligation in all those less extreme cases of attempted but unsuccessful moral education? The parents who didn't produce promise-keeping offspring? Those who failed to educate the parents in how to educate their children (whoever it might be who could plausibly be thought to have the responsibility for training parents to fulfill their obligations)? The liberal version of our basic moral obligations tends to be fairly silent on who has what obligations to new members of the moral community, and it would throw most theories of the justification of obligations into some confusion if the obligation to rear one's children lovingly were added to the list of obligations. Such evidence as we have about the conditions in which children do suc-

cessfully "learn" the morality of the community of which they are members suggests that we cannot substitute "conscientiously" for "lovingly" in this hypothetical extra needed obligation. But an obligation to love, in the strong sense needed, would be an embarrassment to the theorist, given most accepted versions of "ought implies can."

It is hard to make fair generalizations here, so I shall content myself with indicating how this charge I am making against the current men's moral theories, that their version of the justified list of obligations does not ensure the proper care of the young and so does nothing to ensure the stability of the morality in question over several generations, can be made against what I regard as the best of the men's recent theories, Rawls's theory of justice. One of the great strengths of Rawls's theory is the careful attention given to the question of how just institutions produce the conditions for their continued support, across generations, and in particular of how the sense of justice will arise in children, once there are minimally just institutions structuring the social world into which they are born. Rawls, more than most moral theorists, has attended to the question of the stability of his just society, given what we know about child development. But Rawls's sensitive account of the conditions for the development of that sense of justice needed for the maintenance of his version of a just society takes it for granted that there will be loving parents rearing the children in whom the sense of justice is to develop. "The parents, we may suppose, love the child, and in time the child comes to love and trust the parents." Why may we suppose this? Not because compliance with Rawls's version of our obligations and duties will ensure it. Rawls's theory, like so many other theories of obligation, in the end must take out a loan not only on the natural duty of parents to care for children (which he will have no trouble including) but on the natural *virtue* of parental love (or even a loan on the maternal instinct?). The virtue of being a *loving* parent must supplement the natural duties and obligations of justice, if the just society is to last beyond the first generation. And as Nancy Chodorow's work indicates, the loving parents must also accept a

certain division of child-care responsibility if their version of the obligations and virtues of men and women is, along with their version of the division of labor accompanying that allocation of virtues, to be passed on.

Reliance on a recognized obligation to turn oneself into a good parent or else to avoid becoming a parent would be a problematic solution. Good parents tend to be the children of good parents, so this obligation would collapse into the obligation to avoid parenthood unless one expected to be a good parent. That, given available methods of contraception, may itself convert into the obligation, should one expect not to be a good parent, to sexual abstinence, or sterilization, or resolute resort to abortion when contraception fails. The conditional obligation to abort, and in effect also the conditional obligation to sterilization, falls on the women. There may be conditions in which the rational moral choice is between obligatory sexual abstinence and obligatory sterilization, but obligatory abortion, such as women in China now face, seems to me a moral monster. I do not believe that liberal moral theorists will be able to persuade reflective women that a morality that in any conditions makes abortion obligatory, as distinct from permitted or advisable or, on occasion, best, is in their own as well as their male fellows' long-term self-interest. It would be tragic if such moral questions in the end came to the question of whose best interests to sacrifice, men's or women's. I do not believe that they *do* come to this, but should they, then justice would require that, given the long history of the subordination of women's to men's interests, men's interests be sacrificed. Justice, of course, never decides these issues unless power reinforces justice, so I am not predicting any victory for women, should it ever come to a fight over obligatory abortion or over who is to face obligatory sterilization.

No liberal moral theorist, as far as I know, is advocating obligatory abortion or obligatory sterilization when necessary to prevent the conception of children whose parents do not expect to love them. My point rather is that they escape this conclusion only by avoiding the issue of what is to ensure that new members of the moral community do get the loving care they need to

become morally competent persons. Liberal moral theories assume that women either will provide loving maternal care, or will persuade their mates to provide loving paternal care, or when pregnant will decide for abortion, encouraged by their freedom-loving men. These theories, in other words, exploit the culturally encouraged maternal instinct and/or the culturally encouraged docility of women. The liberal system would receive a nasty spanner in its works should women use their freedom of choice as regards abortion to choose *not* to abort, and then leave their newborn children on their fathers' doorsteps. That would test liberal morality's ability to provide for its own survival.

At this point it may be objected that every moral theory must make some assumptions about the natural psychology of those on whom obligations are imposed. Why shouldn't the liberal theory count on a continuing sufficient supply of good loving mothers, as it counts on continuing self-interest and, perhaps, on a continuing supply of pugnacious men who are able and willing to become good soldiers, without turning any of these into moral obligations? Why waste moral resources recognizing as obligatory or as virtuous what one can count on getting without moral pressure? If, in the moral economy, one can get enough good mothers and good warriors "for free," why not gladly exploit what nature and cultural history offer? I cannot answer this question fully here, but my argument does depend upon the assumption that a decent morality will *not* depend for its stability on forces to which it gives no moral recognition. Its account books should be open to scrutiny, and there should be no unpaid debts, no loans with no prospect of repayment. I also assume that once we are clear about these matters and about the interdependencies involved, our principles of justice will not allow us to recognize either a special obligation on every woman to initiate the killing of the fetus she has conceived, should she and her mate be, or think they will be, deficient in parental love, or a special obligation on every young man to kill those his elders have labeled enemies of his country. Both such "obligations" are *prima facie* suspect, and difficult to make consistent with any of the principles supposedly generating obligations in modern moral theories.

I also assume that, on reflection, we will not want to recognize as *virtues* the character traits of women and men which lead them to supply such life and death services "for free." Neither maternal servitude, nor the resoluteness needed to kill off one's children to prevent their growing up unloved, nor the easy willingness to go out and kill when ordered to do so by authorities seems to me to be a character trait a decent morality will encourage by labeling a virtue. But the liberals' morality must somehow encourage such traits if its stability depends on enough people showing them. There is, then, understandable motive for liberals' avoidance of the question of whether such qualities are or are not morally approved of, and of whether or not there is any obligation to act as one with such character traits would act.

It is symptomatic of the bad faith of liberal morality as understood by many of those who defend it that issues such as whether to fight or not to fight, to have or not to have an abortion, or to be or not to be an unpaid maternal drudge are left to individual conscience. Since there is no coherent guidance liberal morality can give on these issues, which clearly are *not* matters of moral indifference, liberal morality tells each of us, "the choice is yours," hoping that enough will choose to be self-sacrificial life providers and self-sacrificial death dealers to suit the purposes of the rest.

Rawls's theory does explicitly face the question of the moral justification of refusal to bear arms, and how a just society justly provides for its own defense. The hardships imposed on conscripted soldiers are, he says, a necessary evil, and the most that just institutions can do is to "make sure that the risks of suffering from those misfortunes are more or less evenly shared by all members of society over the course of their life, and that there is no avoidable class bias in selecting those who are called for duty." What of sex/gender bias? Or is that assumed to be unavoidable? Rawls's principles seem to me to imply that women should be conscripted, if anyone is (and I think that is right), but since he avoids the questions of justice between men and women one does not know whether he intended this implication. His suggestion that one argument in favor of a conscripted army is that it is

less likely to be an instrument of unjustified foreign adventures will become even stronger, I believe, if half the conscripts are women. Like most male moral theorists, Rawls does not discuss the morality of having children, refusing to have them, refusing to care for them, nor does he discuss how just institutions might equalize the responsibilities involved in ensuring that there be new members of society and that they become morally competent members of it, so one does not know whether he accepts a gender-based division of social service here, leaving it to the men to do the dangerous defensive destruction of life and cities, while the support of new life, and any costs going or contrived to go with that, are left to the women. I hope that is not what he meant.

I do not wish, by having myself spoken of these two traditionally gender-based allocations of responsibility (producing and caring for new human life and the destruction of the lives of those officially labeled enemies) together, to leave the impression that I see any parallel between them except that they have both been treated as gender based and that both present embarrassments for liberal moral theory. Not all allocations of responsibility are allocations of burdens, and parenthood, unlike unchosen military life, need not be seen as essentially burden bearing. Good mothers and good soldiers make contributions of [very different sorts and sort of importance] to the ongoing life of a moral community, and they should not be seen, as they sometimes are, as fair mutual substitutes, as forms of social service. Good mothers will always be needed by a moral community, in the best conditions as well as the worst; the need for good military men, though foreseeably permanent, is a sign of some failure of our morality, a failure of our effectively acted upon moral laws to be valid theorems for the conservation of men in multitudes. Nor do the burdens of soldiering have any real analogue in the case of motherhood, which today *need* not impose real costs on the mother. If there are significant costs—loss of career opportunity, improperly recompensed drudgery in the home, or health risks—this is due to bad but largely remediable social arrangements, as the failure of parents to experience any especially parental satisfactions

may be also due to bad but remediable socially produced attitudes toward parental responsibility. We do not, I think, want our military men to enjoy killing the enemy and destroying their cities, and any changes we made in social customs and institutions to make such pleasures more likely would be deplorable ones. Military life in wartime should always be seen as a sacrifice, while motherhood should never need to be seen as self-sacrificial service. If it is an honor and a privilege to bear arms for one's country, as we understandably tell our military conscripts and volunteers, part of the honor is being trusted with activities that are a necessary evil, being trusted not to enjoy their evil aspects, and being trusted to see the evil as well as the necessity. Only if we contrive to make the bringing into the world of new persons as nasty a business as killing already present persons will there be any just reason to exclude young women from conscripted armies or to exclude men from equal parental responsibility.

Granted that the men's theories of obligation need supplementation, to have much chance of integrity and coherence, and that the women's hypothetical theories will want to cover obligation as well as love, then what concept brings them together? My tentative answer is—the concept of appropriate trust, oddly neglected in moral theory. This concept also nicely mediates between reason and feeling, those tired old candidates for moral authority, since to trust is neither quite to believe something about the trusted nor necessarily to feel any emotion toward them—but to have a belief-informed and action-influencing attitude. To make it plausible that the neglected concept of appropriate trust is a good one for the enlightened moral theorist to make central, I need to show, or begin to show, how it could include obligation, indeed shed light on obligations and their justification, as well as include love, the other moral concerns of Gilligan's women, and many of the topics women moral philosophers have chosen to address, mosaic fashion. I would also need to show that it could connect all of these in a way which holds out promise both of synthesis and of comprehensive moral coverage. A moral theory which looked at the conditions for proper trust of all the various sorts we show, and at

what sorts of reasons justify inviting such trust, giving it, and meeting it, would, I believe, not have to avoid turning its gaze on the conditions for the survival of the practices it endorses, so it could avoid that unpleasant choice many current liberal theories seem to have—between incoherence and bad faith. I do not pretend that we will easily agree once we raise the questions I think we should raise, but at least we may have a language adequate to the expression of both men's and women's moral viewpoints.

My trust in the concept of trust is based in part on my own attempts to restate and consider what is right and what is wrong with men's theories, especially Hume's, which I consider the best of the lot. I have found myself reconstructing his account of the artifices of justice as an account of the progressive enlargement of a climate of trust, and have found that a helpful way to see it. It has some textual basis, but it is nevertheless a reconstruction, and one I have found, immodestly, an improvement. So it is because I have tried the concept and explored its dimensions a bit—the variety of goods we may trust others not to take from us, the sort of security or insurance we have when we do, the sorts of defenses or potential defenses we lay down when we trust, the various conditions for reasonable trust of various types—that I am hopeful about its power as a theoretical, and not just an exegetical, tool. I also found myself needing to use it when I made a brief rash attempt at that women's topic, caring (invited in by a male philosopher, I should say). I am reasonably sure that trust does generalize some central moral features of the recognition of binding obligations and moral virtues and of loving, as well as of other important relations between persons such as teacher-pupil, confider-confidante, worker to co-worker in the same cause, and professional to client. Indeed, it is fairly obvious that love, the main moral phenomenon women want attended to, involves trust, so I anticipate little quarrel when I claim that, if we had a moral theory spelling out the conditions for appropriate trust and distrust, that would include a morality of love in all its variants—parental love, love of children for their parents, love of family members, love of friends, of lovers in

the strict sense, of co-workers, of one's country and its figureheads, of exemplary heroines and heroes, of goddesses and gods.

Love and loyalty demand maximal trust of one sort, and maximal trustworthiness, and in investigating the conditions for maximal trust and maximal risk we must think about the ethics of love. More controversial may be my claim that the ethics of obligation will also be covered. I see it as covered because to recognize a set of obligations is to trust some group of persons to instill them, to demand that they be met, possibly to levy sanctions if they are not, and this is to trust persons with very significant coercive power over others. Less coercive but still significant power is possessed by those shaping our conception of the virtues and expecting us to display them, approving when we do, disapproving and perhaps shunning us when we do not. Such coercive and manipulative power over others requires justification, and is justified only if we have reason to trust those who have it to use it properly and to use the discretion which is always given when trust is given in a way which serves the purpose of the whole system of moral control, and not merely self-serving or morally improper purposes. Since the question of the justification of coercion becomes, at least in part, the question of the wisdom of trusting the coercers to do their job properly, the morality of obligation, in as far as it reduces to the morality of coercion, is covered by the morality of proper trust. Other forms of trust may also be involved, but trusting enforcers with the use of force is the most problematic form of trust involved.

The coercers and manipulators are, to some extent, all of us, so to ask what our obligations are and what virtues we should exhibit is to ask what it is reasonable to trust us to demand, expect, and contrive to get from one another. It becomes, in part, a question of what powers we can in reason trust ourselves to exercise properly. But self-trust is a dubious or limit case of trust, so I prefer to postpone the examination of the concept of proper self-trust at least until proper trust of others is more clearly understood. Nor do we distort matters too much if we concentrate on those cases where moral sanctions and moral pressure and moral manip-

ulation are not self-applied but applied to others, particularly by older persons to younger persons. Most moral pressuring that has any effect goes on in childhood and early youth. Moral sanctions may continue to be applied, formally and informally, to adults, but unless the criminal courts apply them it is easy enough for adults to ignore them, to brush them aside. It is not difficult to become a sensible knave, and to harden one's heart so that one is insensible to the moral condemnation of one's victims and those who sympathize with them. Only if the pressures applied in the morally formative stage have given one a heart that rebels against the thought of such ruthless independence of what others think will one see any reason *not* to ignore moral condemnation, not to treat it as mere powerless words and breath. Condemning sensible knaves is as much a waste of breath as arguing with them—all we can sensibly do is to try to protect children against their criminal influence, and ourselves against their knavery. Adding to the criminal law will not be the way to do the latter, since such moves will merely challenge sensible knaves to find new knavish exceptions and loopholes, not protect us from sensible knavery. Sensible knaves are precisely those who exploit us without breaking the law. So the whole question of when moral pressure of various sorts, formative, reformatory, and punitive, ought to be brought to bear by whom is subsumed under the question of whom to trust when and with what, and for what good reasons.

In concentrating on obligations, rather than virtues, modern moral theorists have chosen to look at the cases where more trust is placed in enforcers of obligations than is placed in ordinary moral agents, the bearers of obligations. In taking, as contractarians do, contractual obligations as the model of obligations, they concentrate on a case where the very minimal trust is put in the obligated person, and considerable punitive power entrusted to the one to whom the obligation is owed (I assume here that Hume is right in saying that when we promise or contract, we formally subject ourselves to the penalty, in case of failure, of never being trusted as a promisor again). This is an interesting case of the allocation of trust of various sorts, but it

surely distorts our moral vision to suppose that all obligations, let alone all morally pressured expectations we impose on others, conform to that abnormally coercive model. It takes very special conditions for it to be safe to trust persons to inflict penalties on other persons, conditions in which either we can trust the penalizers to have the virtues necessary to penalize wisely and fairly, or else we can rely on effective threats to keep virtuous penalizers from abusing their power—that is to say, rely on others to coerce the first coercers into proper behavior. But that reliance too will either be trust or will have to rely on threats from coercers of the coercers of coercers, and so on. Morality on this model becomes a nasty, if intellectually intriguing, game of mutual mutually corrective threats. The central question of who should deprive whom of what freedom soon becomes the question of whose anger should be dreaded by whom (the theory of obligation), supplemented perhaps by an afterthought on whose favor should be courted by whom (the theory of the virtues).

Undoubtedly some important part of morality does depend in part on a system of threats and bribes, at least for its survival in difficult conditions when normal goodwill and normally virtuous dispositions may be insufficient to motivate the conduct required for the preservation and justice of the moral network of relationships. But equally undoubtedly life will be nasty, emotionally poor, and worse than brutish (even if longer), if that is all morality is, or even if that coercive structure of morality is regarded as the backbone, rather than as an available crutch, should the main support fail. For the main support has to come from those we entrust with the job of rearing and training persons so that they can be trusted in various ways, some trusted with extraordinary coercive powers, some with public decision-making powers, all trusted as parties to promise, most trusted by some who love them and by one or more willing to become co-parents with them, most trusted by dependent children, dependent elderly relatives, sick friends, and so on. A very complex network of a great variety of sorts of trust structures our moral relationships with our fellows, and if there is a *main* support to this network it

is the trust we place in those who respond to the trust of new members of the moral community, namely, children, and prepare them for new forms of trust.

A theory which took as its central question “Who should trust whom with what, and why?” would not have to forego the intellectual fun and games previous theorists have had with the various paradoxes of morality—curbing freedom to increase freedom, curbing self-interest the better to satisfy self-interest, not aiming at happiness in order to become happier. For it is easy enough to get a paradox of trust to accompany or, if I am right, to generalize the paradoxes of freedom, self-interest, and hedonism. To trust is to make oneself or to let oneself be more vulnerable than one might have been to harm from others—to give them an opportunity to harm one, in the confidence that they will not take it, because they have no good reason to. Why would one take such a risk? For risk it always is, given the partial opaqueness to us of the reasoning and motivation of those we trust and with whom we cooperate. Our confidence may be, and quite often is, misplaced. That is what we risk when we trust. If the best reason to take such a risk is the expected gain in security which comes from a climate of trust, then in trusting we are always giving up security to get greater security, exposing our throats so that others become accustomed to not biting. A moral theory which made proper trust its central concern could have its own categorical imperative, could replace obedience to self-made laws and freely chosen restraint on freedom with security-increasing sacrifice of security, distrust in the promoters of a climate of distrust, and so on.

Such reflexive use of one's central concept, negative or affirmative, is an intellectually satisfying activity which is bound to have appeal to those system lovers who want to construct moral theories, and it may help them design their theory in an intellectually pleasing manner. But we should beware of becoming hypnotized by our slogans or of sacrificing truth to intellectual elegance. Any theory of proper trust should not *prejudge* the question of when distrust is proper. We might find more objects of proper distrust than just the contributors to a climate of reasonable distrust, just as freedom

should be restricted not just to increase human freedom but to protect human life from poisoners and other killers. I suspect, however, that all the objects of reasonable distrust are more reasonably seen as falling into the category of ones who contribute to a decrease in the scope of proper trust than can all who are reasonably coerced be seen as themselves guilty of wrongful coercion. Still, even if all proper trust turns out to be for such persons and on such matters as will increase the scope or stability of a climate of reasonable trust, and all proper distrust for such persons and on such matters as increase the scope of reasonable distrust, overreliance on such nice reflexive formulae can distract us from asking all the questions about trust which need to be asked if an adequate moral theory is to be constructed around that concept. These questions should include when to *respond* to trust with *untrustworthiness*, when and when not to invite trust, as well as when to give and refuse trust. We should not assume that promiscuous trustworthiness is any more a virtue than is indiscriminating distrust. It is appropriate trustworthiness, appropriate trustingness, appropriate encouragement to trust which will be virtues, as will be judicious untrustworthiness, selective refusal to trust, discriminating discouragement of trust.

Women are particularly well placed to appreciate these last virtues, since they have sometimes needed them to get into a position even to consider becoming moral theorists. The long exploitation and domination of women by men depended on men's trust in women and women's trustworthiness to play their allotted role and so to perpetuate their own and their daughters' servitude. However keen women now are to end the lovelessness of modern moral philosophy, they are unlikely to lose sight of the cautious virtue of appropriate distrust or of the tough virtue of the principled betrayal of the exploiters' trust.

Gilligan's girls and women saw morality as a matter of preserving valued ties to others, of preserving the conditions for that care and mutual care without which human life becomes bleak, lonely, and after a while, as the mature men in her study found, not self-affirming, however successful in achieving the egoistic goals

which had been set. The boys and men saw morality as a matter of finding workable traffic rules for self-assertors, so that they not needlessly frustrate one another and so that they could, should they so choose, cooperate in more positive ways to mutual advantage. Both for the women's sometimes unchosen and valued ties with others and for the men's mutual respect as sovereigns and subjects of the same minimal moral traffic rules (and for their more voluntary and more selective associations of profiteers), trust is important. Both men and women are concerned with cooperation, and the dimensions of trust-distrust structure the different cooperative relations each emphasize. The various considerations which arise when we try to defend an answer to any question about the appropriateness of a particular form of cooperation with its distinctive form of trust or distrust, that is, when we look into the terms of all sorts of cooperation, at the terms of trust in different cases of trust, at what are fair terms and what are trust-enhancing and trust-preserving terms, are suitably many and richly interconnected. A moral theory (or family of theories) that made trust its central problem could do better justice to men's and women's moral intuitions than do the going men's theories. Even if we don't easily agree on the answer to the question of who should trust whom with what, who should accept and who should meet various sorts of trust, and why, these questions might enable us better to reason morally together than we can when the central moral questions are reduced to those of whose favor one must court and whose anger one must dread. But such programmatic claims as I am making will be tested only when women standing on the shoulders of men, or men on the shoulders of women, or some theorizing Tiresias actually works out such a theory. I am no Tiresias, and have not foresuffered all the labor pains of such a theory. I aim here only to fertilize.

REVIEW QUESTIONS

1. Baier distinguishes between different kinds of moral theory. What are they? What kind of moral theory do women give us?

